

### **REMARKS/ARGUMENTS**

Applicant appreciates the consideration shown by the Office, as evidenced by the Office Action mailed on 8 May 2006. In that Office Action, the Examiner confirmed a restriction requirement, rejected claim 35 under 35 USC 112, second paragraph; rejected claims 1-5, 20-22, and 30-32; and objected to claims 6-10, 23-29, 33, and 34. After consideration of the Office Action, claims 1, 7, 8, 10, 20, 30, 34, and 35 have been amended, and claims 5-6, 11-19, 23 and 32-33 have been canceled. Claims 1-4, 7-10, 20-22, 24-31, and 34-35 are under consideration in the present application. Applicant respectfully requests reconsideration of the application by the Examiner in light of the above amendments and the following remarks offered in response to the Office Action.

#### Election/Restriction

Applicant affirms the election of Group I, claims 1-10 and 30-35 without traverse.

#### 35 USC 112

Applicant thanks the Examiner for noting the typing error in Claim 35 and has changed "unified age adjustment value" to now read "unified index." The term "unified index" has support in amended claim 30 from which claim 35 depends. Therefore, Applicant respectfully submits that claim 35, as amended, is in full compliance with the requirements of 35 USC 112, second paragraph.

#### 35 USC 102 and Claim Objections

Claims 1-5, 20-22, and 30-32 were rejected under 35 USC 102(b) over what was phrased in the Office Action as "U.S. Patent No. 6,834,256 to Grimm." Applicant notes that US6834256 is to House (which was also cited on form PTO892). Grimm was cited on form PTO892 in two spots as US20020107589 and US6829515. Because paragraph numbers were cited, Applicant is assuming that the 35 USC 102(b) reference was intended to be Grimm US20020107589.

Claims 6-10, 23-29, 33, and 34 were was objected to as being dependent upon a rejected base claim. The Examiner indicated that claims 6-10, 23-29, 33, and 34 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has amended claim 1 to include the subject matter of objected to claim 6 (and intervening claim 5), amended claim 20 to include the subject matter of claim 23 (which depended directly from claim 20), and amended claim 30 to include the subject matter of claim 33 (and intervening claim 32). Each of claims 1, 20, and 30 were declared by the Examiner to include allowable subject matter. Each of the other claims 2-4, 7-10, 21-22, 24-29, 31, and 34-35 depends (either originally or by amendment) directly or indirectly from one of claims 1, 20, and 30.

Accordingly, Applicant respectfully submits that the remaining claims define allowable subject matter.

Summary

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner believe that anything further is needed to place the application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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